

November 26, 2001

Att.: Docket Number EC-2000-07  
US Environmental Protection Agency, Mail Code 2201A  
Enforcement and Compliance Docket and Information Center  
1200 Pennsylvania Avenue NW  
Washington DC 20460

Dear Comment Clerk:

Following are Idaho's comments and concerns with the change to 40 CFR 142.

40 CFR 3 seemed to set standards for when electronic reporting or record keeping is used in lieu of paper documents. It appears that the standards are adopted to protect the records from electronic loss and to preserve the acceptability of the documents in court as evidence.

The change to 40 CFR 142.10 required states to adopt the provisions of part 3 before they could accept electronic data. This seems overly burdensome for states that plan to receive the same data both electronically and in hard copy. The hard copy would serve for both records retention and for evidence in court.

For example, Idaho plans to use the EDI capabilities of SDWIS/STATE to reduce the sampling results data entry task. However, we also plan to receive and retain paper copies of the laboratory data. In such a case, adopting the provisions of the proposed 40 CFR 3 would serve no useful purpose.

I propose adding the phrase "in lieu of paper documents" to the language proposed for 40 CFR 142.10 thus modifying the language as follows" (addition in bold)

(h) Has adopted regulations consistent with 40 CFR part 3 ---(electronic reporting) if the State receives electronic documents **in lieu of paper documents** or allows electronic record keeping **in lieu of retention of paper documents."**

Thank you for any attention you can give to this.

Sincerely,

Howard Woods  
SDWIS/STATE Manager  
Idaho Department of Environmental Quality

cc: Lance Nielsen, Drinking Water Program Manager